

**CITY OF DELTONA, FLORIDA
PLANNING & ZONING BOARD MEETING
WEDNESDAY, JULY 16, 2014**

A Regular Meeting of the Deltona Planning and Zoning Board was held on July 16, 2014, in the City's Commission Chambers located at 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman Burbank.

2. ROLL CALL:

Chairman	Tom Burbank	Present
Vice-Chairman	Noble Olasimbo	Present
Member-Secretary	Wendy Hickey	Present
Member	Victor Ramos	Absent-Excused
Member	Adam Walosik	Present
Member	Herb Zischkau	Absent-Unexcused

Also present: Planning & Development Director, Chris Bowley, AICP; Planning & Development Assistant Director, Ron Paradise; Planning & Development Planning Manager, Tom Pauls; Administrative Assistant, Kathrine Kyp.

3. APPROVAL OF MINUTES:

A. Minutes:

1. Meeting – June 18, 2014.

Motion by Member Olasimbo, seconded by Member Hickey, to adopt the minutes of the Planning & Zoning Board Meeting of June 18, 2014, as presented.

Motion carried unanimously.

4. PUBLIC COMMENTS: None

5. OLD BUSINESS: None

6. NEW BUSINESS:

A. RZ14-003, BPUD Rezoning for 148.13+/- acres of the Deltona Activity Center. (Ordinance No. 17-2014).

Mr. Paradise presented a summary of the BPUD application with regard to land use compatibility and traffic safety for the proposed property in the northern portion of the area known as the Deltona Activity Center. The application is to rezone approximately 148 acres

from Agriculture and Industrial to BPUD, allowing for a wide mixture of uses such as medical offices, auto dealerships, hotels, assisted living facilities as ancillary, restaurants, retail uses and more. Mr. Paradise stated that, land use compatibility will be afforded to the residential neighborhoods that surround the site, Arbor Ridge, Timbercrest and residential neighborhood to the north, with a 40-foot landscape buffer and a master stormwater pond just westward and southward of the neighborhoods. In addition, proposing a stair stepping decrease of intensity from the west-side of the areas to the east. He discussed limiting and intensity and capping the trip generation for the project at 17,415 trips, as well as incremental traffic improvements to protect the surrounding traffic networks now and in the future. He stated that City staff has asked the applicant to deliver, for the first City Commission meeting, a phasing traffic mitigation plan and a trip equivalency matrix. Mr. Paradise explained that another incentive for the developer/applicant to provide appropriate traffic mitigation is to ensure that traffic impact fee obligations are used to better manage impacts of the project more locally versus the impact fee payments incrementally collected by the City and County. Those are distributed City wide, or in the case of the County, used anywhere within the requisite impact fee zone.

Member Walosik asked Mr. Paradise if the spine road had any configuration and whether it will be a public or private road. Mr. Paradise said that the applicant prefers it to be dedicated to the City. Mr. Walosik said that there is no reason for it to be dedicated to the City, as it does not connect anywhere and is specific to this project. He asked if there is any connectivity between this site and the adjoining neighborhoods. Mr. Paradise replied that there are stub-outs for both the Timbercrest and Arbor Ridge neighborhoods to be used for emergency access and non-vehicular access only. Member Walosik discussed the access design for the spine road after the plat has been recorded and his concerns for the vehicle storage and intersection queue analysis for the projects that may need dual left and signal adjustments.

Mr. Olasimbo and Mr. Paradise discussed the 40-foot landscape buffer at the north and northeast of the property and if staff discussed with the applicant the option of a retaining wall. Mr. Olasimbo discussed that staff should share the traffic modeling information with Department of Transportation, as it will affect interstate and traffic movement will need to be addressed. Member Olasimbo made suggestions regarding that the monitoring and modeling could be done during the first phase, and for them to include the trip survey.

Member Hickey noted that her questions regarding connectivity and residential buffering had previously been addressed by fellow Board members and therefore had no further questions.

Chairman Burbank and Mr. Paradise discussed the TIA phasing approach and development intensity inconsistency. This is an attempt to facilitate a significant level of traffic on the City transportation network, without having to engage in significant transportation mitigation activities. When staff researched Chapter 163, Florida Statutes, it states that the local government has the ability (and obligation) to ensure that mobility is addressed, at minimum, in a safe manner that makes the most efficient use of public infrastructure. This information is what led to the phased traffic studies and improvements.

Chairman Burbank discussed recommendations on monitoring and phasing the traffic studies and improvements for the Developer's Agreement (DA). He suggested to have all new development

projects that come into the City provide staff with what is built at that time. Chairman Burbank also stated that within the Developer's Agreement, number seven (7) paragraph (f), remove the term preliminary plat. Chairman Burbank asked whether bars/nightclubs as permitted uses were considered. Mr. Paradise said that it was not within the submitted list of permitted uses. Chairman Burbank and Mr. Paradise discussed "big box" and replacing it with retail sales and services throughout the DA to follow the definition in the Code. Chairman Burbank asked whether or not the City can control where transportation traffic impact credits are dispersed, since they are State and County roads. Mr. Paradise replied that the City hopes to collaborate regarding the transportation impact fees with the State and County.

Member Walosik stated that this intersection should have a mast-arm traffic signal. Member Walosik also stated that there should be dual lefts from Howland Blvd. into this project and from the project onto Howland Blvd. Mr. Paradise concurred, as DRMP has stated the same within their traffic review.

William Barfield, legal counsel representing the applicant, Trafalgar Holdings, 225 S. Westmonte Drive, Suite 2040 Altamonte Springs, Florida. He commented on the outparcel that remains out of the project and that they are working with the family. Until such time, an easement on Persimmon Avenue will be left for access. He provided an explanation regarding the list of permitted uses in the northwest area to include restaurants with evening entertainment, instead of the bars and nightclubs as a sole use, as agreed upon with the surrounding property owners. He addressed the traffic concerns from staff and stated that their project is not tripping any levels of service, but will work with City staff to create a program to work out the issues.

Paul Momberger, consultant to the applicant, ZevCohen, 300 Interchange Boulevard, Ormond Beach, Florida, spoke regarding setbacks and buffers. There will be 300 foot buffer on the rear of the site between the stormwater pond location and landscape.

Member Walosik discussed improvements for the project, i.e. bike paths and bridge connections to adjacent properties, pedestrian connectivity, etc. He asked to add verbiage to the Development Agreement to include this.

Member Hickey asked about the landscape buffer, which shows 30 feet on the Master Development Plan (MDP) and 40 feet in the Developer's Agreement. Mr. Paradise stated the DA has been updated to reflect 40 feet; the MDP has not been updated to reflect this number, but will be.

Chairman Burbank asked if Mr. Momberger would have the equivalency matrix and transportation phasing plan ready for staff's deadline for the first City Commission meeting. Mr. Momberger stated that if they could not meet the deadline, then they would request it to be pushed back.

Discussion regarding the spine road configuration occurred between Member Walosik, Member Olasimbo, and Mr. Momberger.

Chairman Burbank opened the public hearing.

Kristopher Beatty, 2876 Forest Edge, Deltona, Florida, spoke regarding his personal property abutting the project. He referenced the City of Deltona Design Pattern Book, stating it is showing the Rhode Island Road extension coming through this project, adjacent to his neighborhood. Mr. Paradise explained that this road extension was repealed by the City Commission in 2010. Mr. Beatty also thanked the Board for their support on residential buffering.

Discussion between the Board and staff occurred regarding the importance of intersection improvements and the need for the matrixes.

Motion by Member Olasimbo, seconded by Member Hickey, to recommend that the City Commission approve Ordinance No. 17-2014, subject to the conditions proposed by City staff report as well as the improvement of the Master Development Plan with less intense uses on the east side and more intense uses on the west side of the development, the upgrade of traffic signal from span wire to a mast arm (recommended), add multimodal pedestrian facilities, update the landscape buffer to 40 ft. on the MDP, and include transportation phasing if improvements.

Motion carries unanimously.

B. CU14-003, Conditional Use, to allow a house of worship with a maximum of 210 fixed seats to be located in an RE-1 zoning district (Resolution No. 2014-08).

Mr. Pauls provided a brief summary regarding the Conditional Use application allowing for a house of worship in an RE-1 zone.

Member Olasimbo spoke regarding sight distance from the site to Lake Helen-Osteen Road and advised staff to look at the safety of traveling vehicles going in and out of the site very seriously when it comes before staff at site plan review.

Discussion occurred between the Board and staff regarding traffic mitigation, left hand turns into the site from Lake Helen-Osteen Road, road improvements since the site has a blind curve, and other safety concerns that need to be addressed.

Kelly Santos, pastor of IMED church, explained to the Board the need to reapply again. She stated that after receiving the approval on their loan, the permits had expired so the church needed to start from the beginning. She thanked the Board and stated that they will do whatever is needed to receive the approval again.

Chairman Burbank opened the public hearing.

Phil Giorno, 2135 Brewster Dr. Deltona, Florida, commented that the area has been riddled with crime and allowing the church will help beautify the area.

Abraham Brignoni, 1850 Amero Ave. Deltona, Florida, stated that they have been in existence for over 14 years, sharing the space with the First Presbyterian Church on Howland Boulevard, and they want to occupy this location, to bring a light into the community.

Motion by Member Hickey, seconded by Member Olasimbo, to recommend that the City Commission approve Resolution No. 2014-08, subject to the conditions outlined by City staff, in addition, it is recommended that staff ensure clear site distance and construction of the left turn lane on Lake Helen Osteen Road (which would need Volusia County approval).

Motion carries unanimously.

7. DISCUSSION:

A. By the Board: Chairman Burbank asked Mr. Bowley when they anticipated having a replacement for Mr. McKnight. Mr. Bowley replied that the nomination is on the upcoming City Commission agenda.

B. By the City Attorney: None.

C. By Planning & Development Staff: None.

8. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:16 p.m.

ATTEST:



Kathrine Kyp, RECORDING SECRETARY



Tom Burbank, CHAIRMAN